

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SWD – PSs – Allegations against certain Gazetted and Non-Gazetted Officers of the O/o. Dy. Director (SW), Hyderabad regarding misappropriation of Government funds by way of sanction of Scholarships / Special Fees to fictitious S.C. Students in three Degree Colleges of the Hyderabad District for the years 1984-85 to 1986-87 – Disciplinary action initiated against Sri K. Chandra Shekar, ASWO (Retd), - A.P.A.T. Order, dt. 06.05.2010 in O.A.No.2936/2010 filed by Sri K. Chandra Shekar, ASWO, (Retired) – Sanction of all retirement benefits without prejudice to the Criminal action pending in the case – Orders – Issued.

SOCIAL WELFARE (SER.III.1) DEPARTMENT

G.O.Rt.No. 137

Dated:20-02-2011.

Read the following:

1. From the Director of Social Welfare, Hyd., Memo No.10538/A2/88-12, dated 28.5.1994.
2. From the Director of Social Welfare, Hyd., Memo No.A2/10538/88-5, dated 12.3.1997.
3. G.O. Rt. No. 365, Social Welfare (X) Department, dated 3.7.1989.
4. G.O.Rt.No.23, Social Welfare (Ser.II) Department, dated 17.01.2000.
5. G.O.Rt.No.87, Social Welfare (Ser.II) Department, dated 19.02.2001.
6. From the A.P.A.T., Orders, Dated 16-05-2010 in O.A.No.2936/2010 filed by Sri K. Chandra Shekar, ASWO (Retd.)
7. From the APAT, Orders, Dt: 31-01-2011 in CA.No.1490/2010 in O.A.No.2936, filed by Sri K. Chandra Shekar, ASWO (Retd.).

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ORDER:

The Government have caused a discreet enquiry through Joint Director (Vigilance), O/o the Commissioner of Social Welfare, Andhra Pradesh, Hyderabad and also the Officials of the Vigilance and Enforcement Department, Hyderabad into the alleged sanctions of Mess Charges/Scholarships to non-existing/dropout S.C. students purported to be studying in three Degree Colleges in twin cities viz., (1) Babu Jagjeevan Ram College, Lakdikapool, (2) Dr. B.R. Ambedkar College, Lingampally; and (3) New Government Degree College, Khairathabad, Hyderabad for the year 1984-85 to 1986-87. The Preliminary Investigation conducted by the Joint Director (Vigilance), O/o the Commissioner of Social Welfare, Andhra Pradesh, Hyderabad and the Officials of the Vigilance and Enforcement Department, revealed the involvement of (31) Officers, both Gazetted and Non-Gazetted, including Sri K. Chandra Shekar who having worked during the said period, are responsible for the alleged sanction of mess charges, scholarships to the fictitious S.C. students resulting in misappropriation of Government funds to a tune of several lakhs of rupees.

2. In view of the high magnitude and serious nature of the defalcation of Government funds involvement of as many as (31) officials, including Sri K. Chadra Shekar, ASWO (Retd) disciplinary action was initiated, and the CID was also requested for initiating criminal proceedings. The CID has also registered a case in Crime No.3/94 U/s 120-B, 406, 409, 471 IPC.

3. The Director of Social Welfare has issued charge memo to Sri K. Chandra Shekar in the Memo 1st read above and it was revised in the Memo 2nd read above. Though the Enquiry Officers were appointed vide G.O's 3rd, 4th and 5th read above, the enquiry could not be conducted on various reasons. Sri K. Chandra Shekar retired from service on 28.02.2003 on attaining age of superannuation as ASWO.

(P.T.O..)

4. Sri K. Chandra Sekhar, ASWO (Retired) has filed an O.A No. 2936/2010 before the Hon'ble A.P.A.T. to issue direction to the respondents to release all the retirement benefits to him forthwith on the strength of the orders passed by the Hon'ble Tribunal in O.A.No. 5690 of 1999, dated. 18-08-2004 as confirmed by the Hon'ble High Court in W.P. No.13663 of 2006, dated. 18-06-2007 and followed by the Hon'ble Tribunal in O.A.NO.7825 of 2008 and 7481 of 2008 , dated. 21-08-2009 and also in O.A. No. 12823 of 2009 , dated: 7-4-2010 by extending the benefits of the same to him as he is also similarly situated person by further directing the respondents to treat the suspension period as on duty for all purposes.

5. The Hon'ble A.P.A.T. vide in its order dt.06.05.2010 in the said O.A., while extending the benefit given in O.A.NO.7825/08 and 7481/2008, Dt: 21-08-2009 which are disposed of as covered vide orders of the Tribunal in O.A. No. 5690/99, dt. 18-8-2004 as confirmed by the Hon'ble High Court in W.P. No. 13663/2006, Dt: 18-06.2007, has directed to release pension and other pensionary benefits as in the case of Smt. S. Niranjani within a period of four weeks from the date of receipt of copy of the order and pass appropriate orders with respect to suspension period after giving notice to the applicant within a period of three months from the date of receipt of copy of the order. The entire exercise shall be over by the respondents within a period of four months from the date of receipt of copy of the order.

6. While the above said orders were under examination, Sri K. Chandra Sekhar, ASWO (Retd.) has filed C.A. No. 1490/2010 in O.A.No. 2936 for not implementing the orders, dt: 6-5-2010 in O.A. No. 2936/2010 of the Hon'ble A.P.A.T.

7. Government, after careful examination of the matter in detail, have decided to implement the orders of the Hon'ble A.P.A.T. in O.A. No. 2936/2010, dated 6-5-2010 and to release all the retirement benefits to Sri. K. Chandra Shekar, ASWO (Retd.) duly dropping further disciplinary action pending against the said retired officer, without any prejudice to the Criminal action pending in the case.

8. The Commissioner of Social Welfare, A.P., Hyderabad is directed to take action accordingly and report compliance.

9. The Commissioner of Social Welfare, A.P., Hyderabad is also directed to submit the proposals for issue of orders separately with regard to regularization of suspension period, immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAYMOND PETER,
PRINCIPAL SECRETARY TO GOVERNMENT.

To,
Sri. K. Chandra Shekar, ASWO (Retired) (through C.S.W., A.P., Hyd).
The Commissioner of Social Welfare, Hyderabad. (with a request to serve the copy of this order on the individual and to return the served copy with the acknowledgement of the individual to Govt.)
The Collector, Hyderabad District.
The Deputy Director (Social Welfare), Hyderabad.
Copy to:
The Accountant General, A.P., Hyderabad.
The Dy. Accountant General (Pension) O/o. the A.G., A.P., Hyd.
The Pay & Accounts Officer, A.P., Hyderabad.
The P.S. to M (SW)
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER.